GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – CT Department - Surprise Check conducted over the Integrated Check Post, Purushothtapuram, Itchapuram Mandal, Srikakulam District on27.11.2015 –Certain irregularities noticed – Common Disciplinary Proceedings initiated – Articles of charges against Sri P. Venkatswara Rao, ACTO, Integrated Check Post, Purushottapuram, Itchapuram Mandal, Srikakulam District under Rule 20of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 – Orders – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.1025 **Dated:11.10.2019**

Read the following:-

Ref:- 1. From the DG, ACB,Lr.No.161/RCO-VSK/2015,dt:08-01-2018.
2. Govt. Memo No.17023/2/2018-Vig.II-2, Dated:28-03-2018.
3. From the DG, ACB, AP, Vijaywada, Lr Rc.No. 161/RCO-VSK/2015, dated: 3.07.2019.
4. G.O.Ms No.428, Revenue (Vig.II) Dept, dated:11.10.2019.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference read above, it is considered necessary to hold an enquiry against Sri P.Venkatswara Rao, Assistant Commercial Tax Officer, Integrated Check Post, Purushottapuram, Itchapuram Mandal, Srikakulam District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri P.Venkatswara Rao, Assistant Commercial Tax Officer, Integrated Check Post, Purushottapuram, Itchapuram Mandal, Srikakulam District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri P.Venkatswara Rao, Assistant Commercial Tax Officer, Integrated Check Post, Purushottapuram, Itchapuram Mandal, Srikakulam District is further informed that if he does not submit this written statement of defense on or before the date specified in para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders /directions issued in pursuance of the said rules the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri P.Venkatswara Rao, Assistant Commercial Tax Officer, Integrated Check Post, Purushottapuram, Itchapuram Mandal, Srikakulam District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct)

Contd.,2

Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made a this instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To

Sri P. Venkatswara Rao, ACTO, Integrated Check Post, Purushottapuram, Itchapuram Mandal, Srikakulam District (w.e, Annexures-I to IV) **through** the Chief Commissioner of State Tax, AP, Vijayawada (with a request to serve the order on the individual and send the served copy with dated signature to Government).

Copy to

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

The Chief Commissioner of State Tax, Andhra Pradesh, Eedupugallu, Vijayawada.

SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI PARUPUDI VENKATESWARA RAO, AGE 59 YRS, ASST. COMMERCIAL TAX OFFICER, INTEGRATED CHECK POST, PURUSHOTTAPURAM, ITCHAPURAM MANDAL, SRIKAKULAM DISTRICT

That Sri P.Venkateswara Rao, Assistant Commercial Tax Officer, Commercial Tax Department at Integrated Check Post, Purushottapuram joined in Government Service on 31.03.1987 as Junior Steno in Commercial Taxes Department. He was promoted as Senior Assistant on 11.05.2006 and he further promoted as Assistant Commercial Tax Officer on 23.10.2013 and he worked as such at O/o the Deputy Commissioner (Commercial Tax), Visakhapatnam and further posted at Office of Administrative Officer, Integrated Check Post, Itchapuram and worked there from 07.11.2014 to 27.11.2015 i.e. date of surprise check while working as Assistant Commercial Tax Officer, Integrated Check Post, Purushottapuram, Itchapuram, he has committed the following grave mis-conduct in as much as.

CHARGE:-

That Sri P. Venkateswara Rao while working as Assistant Commercial Tax Officer at Integrated Check Post, Itchapuram failed to verify physically the goods that are being transported through the transport vehicles and verify physical records of those vehicles and failed to check any vehicles physically.

Thus Sri P.Venkateswara Rao, Assistant Commercial Tax Officer by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THEARTICLE OF CHARGES FRAMED AGAINST SRI PARUPUDI VENKATESWARARAO, AGE 59 YRS, ASSISTANT COMMERCIAL TAX OFFICER, INTEGRATED CHECK POST, PURUSHOTTAPURAM, ITCHAPURAM MANDAL, SRIKAKULAM DISTRICT.

Sri P.Venkateswara Rao, Assistant Commercial Tax Officer, Commercial Tax Department at Integrated Check Post, Purushottapuram is native of Chodavaram, Visakhapatnam District. His date of birth is 11.07.1959. He joined in Government Service on 31.03.1987 as Junior Steno in Commercial Taxes Department. He was promoted as Senior Assistant on 11.05.2006 and he further promoted as Assistant Commercial Tax Officer 23.10.2013 and he worked as such at O/o the Deputy Commissioner (Commercial Tax), Visakhapatnam and further posted at Office of Administrative Officer, Integrated Check Post, Itchapuram and worked there from 07.11.2014. He is drawing basic pay of Rs.53,950/- and he attains the age of superannuation on 31.07.2019. He is here-in-after referred to as Government Servant.

That on receipt of credible information that the employees of the Integrated Check Post, Itchapuram, Srikakulam were indulging in corrupt practices and habitually collecting illegal gratifications directly and also through unauthorized agents (private persons) by abusing their official positions from the crew members/owners of the vehicles, passing through the check-post, without conducting physical verification of the vehicles, connected records of the goods being transported and vehicles and thereby causing pecuniary advantage for themselves and pecuniary loss to the Government exchequer. The Deputy Superintendent of Police and staff along with mediators left the Anti Corruption Bureau office in vehicles and reached the Integrated Check Post, Itchapuram and watched the happenings at the respective counters for five minutes and organized a surprise check on the Integrated Check Post, Itchapuram in the presence of mediators by the Deputy Superintendent of Police with the assistance of other officers, staff of Anti Corruption Bureau and staff of Armed Reserve Force of Srikakulam from 2000 Hrs on 27.11.2015 to 01.30 Hrs on 28.11.2015 and the mediators prepared the proceedings.

During the proceedings, the Deputy Superintendent of Police deployed their staff at all counters and requested the mediators to watch the happenings in the counters to know how the bribe amounts are being collected in the check post. The surprise check party noticed that some persons are collecting mamools from the crew members and owners of the vehicles on behalf of the employees of the check post at the counters of commercial taxes Department and Agricultural Market Committee of Integrated Check post and apprehended the eight private persons, when they tried to escape from the aforesaid counters and seized an amount of Rs.26, 230/- from their possession and examined them and recorded their statements in the presence of mediators. During the proceedings, the Deputy Superintendent of Police and his staff thoroughly checked the office premises and noticed number of small wads of currency notes of Rs.6160/- on the computer table besides the computer in the server room. The Deputy Superintendent of Police enquired with the employees of the commercial Taxes Department about the cash found at the server room, they kept quiet. Further the Deputy Superintendent of Police secured the presence of drivers and examined them and recorded their statements and the seized the records for enquiry purpose.

As prima-facie evidence emerged in this case against a number of Government servants and private persons, a case in Crime No.11/RCO-ACB/SKL/2015 U/Ss 13(1)(d) and r/w 13(2) of Prevention of Corruption Act,

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1988 and Sections 120(B) and 109 IPC r/w. 34 IPC was registered on 28.11.2015 at 1615 hrs against Government servant and four other Government officials and eight (8) Private persons and investigated into.

At the time of surprise check, the Government Servant was present at the Transit pass counter in the check post.

At the time of surprise check, all the employees of Commercial Tax Department, the two Assistant Motor Vehicle Inspectors who are on duty and the employees of the Agricultural Market Committee was available in the check post building and on enquiry the government servant informed that out of the total number of 844 vehicles which passed through the check post during their shift, 398 vehicles came into Andhra Pradesh from other states and 436 vehicles went out of the state but on verification of the physical verification register, it was found that only two vehicles on 23.11.2015, one vehicle on 24.11.2015 and one vehicle on 27.11.2015 were physically verified by the officials of the check post. This proves that the employees of the Check Post are not conducting physical verification of the vehicles, records and goods being transported as per the records.

The check post officials were supposed to check each and every vehicle passing through the check post to find out the violations made by them under M.V.Act and rules, Commercial Tax Act etc., and in case of any violation they were supposed to collect the tax dues and fine amounts accordingly, but they were allowing the vehicles to pass through the check-post without verifying the vehicles, goods being transported and the vehicle records by abusing their official position and collecting bribes thereby causing huge loss to the Government exchequer.

That Sri P.Venkateswara Rao while working as Assistant Commercial Tax Officer at Integrated Check Post, Itchapuram failed to verify physically the goods that being transported through the transport vehicles and verify physical records of those vehicles and failed to check any vehicles physically.

Thus the Government Servant by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

The Government Servant has therefore rendered himself liable for regular departmental action for major penalty.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS:

1.	FIR along with occurrence report.
2.	Original Surprise Check Proceedings from 2000 hrs on 27.11.2015 to 0130 hrs on 28.11.2015 drafted at Integrated Check Post, Purushottapuram, Itchapuram of Srikakulam District
3.	Duty Register of staff, ICP, Itchapuram
4.	Physical verification Register
5.	Duty charts of Employees.
6.	Letters R.C.No.17/2015 HC, dated 31.12.2015 and R.C.No.17/2015 HC, dated16.03.2016 of AO, ICP, Itchapuram
7.	Job Chart of Charged officer
8.	Statement of Sri D.Ramesh, Inspector of Police, ACB, Vizianagaram Range U/s161 Cr.P.C
9.	Written Statement of Sri. Salina Veerraju, S/o Purushottam, age 39 yrs, Golla Veedhi, Itchapuram, Lorry Driver of OD 07 K 3729.
10.	Statement of Sri Salina Veerraju, S/o Purushottam, age 39 yrs, Golla Veedhi, Itchapuram, Lorry Driver of OD 07 K 3729, U/s 161 Cr.P.C.
11.	Written Statement of Sri Vankana Venkateswara Rao, S/o Yalamandayya, age 38 yrs, Kanchikacharla, Hanumanpeta, Krishna Dist. Driver of Lorry AP 16 TY5149.
12.	Statement of Sri Vankana Venkateswara Rao, S/o Yalamandayya, age 38 yrs, Kanchikacharla, Hanumanpeta, Krishna Dist. Driver of Lorry AP 16 TY 5149, U/s161 Cr.P.C.
13.	Written Statement of Sri Chappara Venkata Satyannarayana, S/o Perayya, age 25 yrs, Goduvarigudem, Nuziveedu, Krishna Dist, Driver of Lorry AP 16 Y 6399.
14.	Statement of Sri Chappara Venkata Satyannarayana, S/o Perayya, age 25 yrs, Goduvarigudem, Nuziveedu, Krishna Dist, Driver of Lorry AP 16 Y 6399, U/s 161Cr.P.C.
15.	Written Statement of Sri Subhratha Kundu, S/o S.L.Kundu, age 52 yrs, Central Cotton Mill, Bali, Howrah, West Bengal, Lorry Driver of AP 29 TB 1936.
16.	Statement of Sri Subhratha Kundu, S/o S.L.Kundu, age 52 yrs, Central Cotton Mill, Bali, Howrah, West Bengal, Lorry Driver of AP 29 TB 1936, U/s 161 Cr.P.C.
17.	Written Statement of Sri Mugala Tirupal, S/o Ananda Rao, age 40 yrs, Nagalakatta Street, Jammalamadugu Village & Mandal, Cuddapah, Lorry Driver of AP 04 TW 1485.
18.	Statement of Sri Mugala Tirupal, S/o Ananda Rao, age 40 yrs, Nagalakatta Street, Jammalamadugu Village & Mandal, Cuddapah, Lorry Driver of AP 04 TW1485, U/s 161 Cr.P.C.
19.	Written Statement of Sri J.Marimuthu, S/o Jayakumar, age 38 yrs, R/oD.No.92-A,Karuppayya, North Malladapatti, Rajapalem, Virudhanagar, Tamilanaidu, Lorry Driver of KA 01 AE 3346.
20.	Statement of Sri J.Marimuthu, S/o. Jayakumar, age 38 yrs, R/o. D.No.92-A, Karuppayya, North Malladapatti, Rajapalem, Virudhanagar, Tamilanaidu, Lorry Driver of KA 01 AE 3346, U/s 161 Cr.P.C.
21.	Statement of Sri Badukonda Satyanarayana, Engineer, HCL Company, ICP, Itchapuram.
22.	Statement of Sri Sarvisetti Chiranjeevulu, Homeguard at transport department, ICP, Itchapuram
23.	Written Statement of Sri Chatla Seshu, S/o. Sri Laxminarayana, 45 years, R/o. Purushottapuram village, Itchapuram mandal.
24.	Statement of Sri Chatla Seshu, S/o. Sri Laxminarayana, 45 years, R/o.Purushottapuram village, Itchapuram mandal, U/s 161 Cr.P.C
25.	Written Statement of Sri Bibhuti Swain, S/o. Sri Kumaraswamy, age 43 years, R/o. Itchapuram, Srikakulam District.

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26.	Statement of Sri Bibhuti Swain, S/o. Sri Kumaraswamy, age 43 years, R/o.Itchapuram, Srikakulam District, U/s 161 Cr.P.C.
27.	Written Statement of Sri Durgasi Danayya, S/o. Umapathi, age 36 yrs, R/o.Mandapalli Village, Itchapuram Mandal, Srikakulam Dist.
28.	Statement of Sri Durgasi Danayya, S/o Umapathi, age 36 yrs, R/o Mandapalli Village, Itchapuram Mandal, Srikakulam Dist, U/s 161 Cr.P.C.
29.	Written Statement of Sri Uppada Krishna Murthy, S/o Sri Rajayya, 53 yrs, R/o. Purushottapuram, Itchapuram Mandal, Srikakulam Dist.
30.	Statement of Sri Uppada Krishna Murthy, S/o. Sri Rajayya, 53 yrs, R/o. Purushottapuram, Itchapuram Mandal, Srikakulam Dist, U/s 161 Cr.P.C.
31.	Written Statement of Sri Neyyila Murali, S/o. Bairagi, age 28 yrs, R/o. Purushottapuram, Itchapuram Mandal, Srikakulam Dist.
32.	Statement of Sri Neyyila Murali, S/o Bairagi, age 28 yrs, R/o. Purushottapuram, Itchapuram Mandal, Srikakulam Dist, U/s. 161 Cr.P.C.
33.	Written Statement of Sri Dusi Ramana, S/o. Rama Rao, age 34 yrs, R/o. Purushottapuram, Itchapuram Mandal, Srikakulam Dist
34.	Statement of Sri Dusi Ramana, S/o Rama Rao, age 34 yrs, R/o. Purushottapuram, Itchapuram Mandal, Srikakulam Dist, U/s 161 Cr.P.C
35.	Written Statement of Sri Gali Chandra Reddy, S/o G.L.Narayana, age 70 yrs, R/o.Purushottapuram, Itchapuram Mandal, Srikakulam Dist.
36.	Statement of Sri Gali Chandra Reddy, S/o. G.L.Narayana, age 70 yrs, R/o.Purushottapuram, Itchapuram Mandal, Srikakulam District, U/s 161 Cr.P.C
37.	Written Statement of Sri Pathirla Bhaskar, S/o. Kama Raju, age 28 yrs, R/o. Cheekatipeta Village, Itchapuram Mandal, Srikakulam District
38.	Statement of Sri Pathirla Bhaskar, S/o Kama Raju, age 28 yrs, R/o Cheekatipeta Village, Itchapuram Mandal, Srikakulam District, U/s 161 Cr.P.C
39.	Statement of Sri Maram Pulla Rao, S/o (L) Ranaga Rao, age 34 yrs, Kanchikacharla, Hanumanpeta, Krishna District Driver of Lorry AP 16 TY 5049.
40.	Statement of Sri Chidibommali Ramana, S/o.Nageswara Rao, age 40 yrs, Vegawada, Pedavegi Mandal, West Godavari Dist, Driver of Lorry AP 37 W 9205
41.	Statement of Sri Bonnuru Karimulla, S/o Adi, age 48 yrs, Yedla Ramapuram Village, Atmakoor Mandal, Kurnool Dist, Driver of Lorry AP 21 TT 8650.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES:-

1.	Sri Velamala Yogeswara Rao, S/o. Arjuna Rao, age 29 years, Asst. Executive Engineer, R&B Special Section-II, Special Sub Division, Srikakulam, R/o. Challavanipeta, Jalumuru Mandal, Srikakulam Dist.
2.	Sri Gorribanda Yerra Rao, S/o. Rama Rao, Senior Asst, R&B Special Section-II, Special Sub Division, Srikakulam, R/o. LIG-II, APHB Colony, Near Collector Bungalow, Srikakulam District.
3.	Sri D. Ramesh, Inspector of Police, ACB, Vizianagaram Range.
4.	Sri Salina Veerraju, S/o Purushottam, age 39 yrs, Golla Veedhi, Itchapuram, Lorry Driver of OD 07 K 3729.
5.	Sri Vankana Venkateswara Rao, S/o Yalamandayya, age 38 yrs, Kanchikacharla, Hanumanpeta, Krishna Dist. Driver of Lorry AP 16 TY 5149.
6.	Sri Chappara Venkata Satyannarayana, S/o Perayya, age 25 yrs, Goduvarigudem, Nuziveedu, Krishna Dist, Driver of Lorry AP 16 Y 6399.
7.	Sri Subhratha Kundu, S/o S.L.Kundu, age 52 yrs, Central Cotton Mill, Bali, Howrah, West Bengal, Lorry Driver of AP 29 TB 1936.
8.	Sri Mugala Tirupal, S/o Ananda Rao, age 40 yrs, Nagalakatta Street, Jammalamadugu Village & Mandal, Cuddapah, Lorry Driver of AP 04 TW 1485.
9.	Sri J.Marimuthu, S/o. Jayakumar, age 38 yrs, R/o. D.No.92-A, Karuppayya, North Malladapatti, Rajapalem, Virudhanagar, Tamilanaidu, Lorry Driver of KA 01 AE 3346.
10.	Sri Badukonda Satyanarayana, Engineer, HCL Company, ICP, Itchapuram
11.	Sri Sarvisetti Chiranjeevulu, Homeguard at transport department, ICP, Itchapuram
12.	Sri Chatla Seshu, S/o. Sri Laxminarayana, 45 years, R/o. Purushottapuram village, Itchapuram mandal.
13.	Sri Bibhuti Swain, S/o. Sri Kumaraswamy, age 43 years, R/o. Itchapuram, Srikakulam District.
14.	Sri Durgasi Danayya, S/o Umapathi, age 36 yrs, R/o Mandapalli Village, Itchapuram Mandal, Srikakulam Dist.
15.	Sri Uppada Krishna Murthy, S/o Sri Rajayya, 53 yrs, R/o Purushottapuram, Itchapuram Mandal, Srikakulam Dist.
16.	Sri Neyyila Murali, S/o Bairagi, age 28 yrs, R/o Purushottapuram, Itchapuram Mandal, Srikakulam Dist.
17.	Sri Dusi Ramana, S/o Rama Rao, age 34 yrs, R/o Purushottapuram, Itchapuram Mandal, Srikakulam Dist.
18.	Sri Gali Chandra Reddy, S/o. G.L.Narayana, age 70 yrs, R/o. Purushottapuram, Itchapuram Mandal, Srikakulam Dist.
19.	Sri Pathirla Bhaskar, S/o Kama Raju, age 28 yrs, R/o Cheekatipeta Village, Itchapuram Mandal, Srikakulam Dist
20.	Sri Maram Pulla Rao, S/o (L) Ranaga Rao, age 34 yrs, Kanchikacharla, Hanumanpeta, Krishna Dist, Driver of Lorry AP 16 TY 5049.
21.	Sri Chidibommali Ramana, S/o Nageswara Rao, age 40 yrs, Vegawada, Pedavegi Mandal, West Godavari Dist, Driver of Lorry AP 37 W 9205
22.	Sri Bonnuru Karimulla, S/o Adi, age 48 yrs, Yedla Ramapuram Village, Atmakoor Mandal, Kurnool Dist, Driver of Lorry AP 21 TT 8650.
23.	Sri K. Rangaraju, DSP, ACB, Srikakulam.
24.	Sri P. Srinivasarao, Inspector of Police, Anti Corruption Bureau, Srikakulam.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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